

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
MARCH 14, 2013

STATE OF TEXAS           §  
                                     §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

Frank Simpson, Interim City Manager  
Kathy Merrill, Deputy City Manager  
Carla Robinson, City Attorney  
Sherry Mashburn, City Secretary  
Ian Whittenton, Records Management Coordinator

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:00 p.m. on Thursday, March 14, 2013 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**1. Pledge of Allegiance, Invocation, consider absence request.**

**Citizen Comments**

Cora Rogers, 7472 Old Jones Road, voiced her opposition to the proposed dump site in the Brushy community. They do not want the dust or water contamination. They just want to live and be happy. A hearing is set for April 3 at the Brazos County courthouse. She asked the Council to attend and show its support.

**CONSENT AGENDA**

**2a. Presentation, possible action, and discussion of minutes for:**

- February 28, 2013 Workshop
- February 28, 2013 Regular Council Meeting

2b. Presentation, possible action and discussion concerning approval of: (1) a ground lease from TAMUS to College Station for property located generally northeast of the intersection of Wellborn Road and University Drive for the purpose of constructing an electrical substation, (2) an interlocal agreement between College Station and T AMU providing the terms and conditions necessary for the construction of an electrical substation on the ground lease site, and (3) a release of an existing right-of-way easement conveyed from TAMUS to College Station by instrument dated August 8, 2006, recorded in Volume 7572, Page 179, of the Real Property Records of Brazos County, Texas.

2c. Presentation, possible action, and discussion regarding approval of the Owner Agreement for the Home Reconstruction Loan Program activity at 3385 Barron Cutoff Rd. and 1022 Crested Point.

2d. Presentation, possible action and discussion regarding award of a construction contract with Brazos Paving, Inc. in the amount of \$1,169,504.48 for the HSC Parkway Waterline Extension.

2e. Presentation, possible action, and discussion regarding water meter purchase contract WM08-10 with AquaMetric Sales Co. in the amount of \$133,639.

2f. Presentation, possible action, and discussion regarding approval of Resolution 03-14-13-2f, authorizing City staff to negotiate for the purchase of easements needed for the FM 2154 Sidewalk Improvements Project and public utilities.

2g. Presentation, possible action and discussion regarding the first renewal of Bid No. 12-048 with ProSTAR Industries for the purchase of janitorial supplies in an amount not to exceed \$58,654.66.

2h. Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and Gessner Engineering, LLC in the amount of \$57,200 for a roadway condition analysis and pavement management plan update.

2i. Presentation, possible action and discussion on bid awards for annual street maintenance agreements for asphalt pavement repair with Brazos Paving, Inc in the amount of \$79,000; resealing concrete joints with Larry Young Paving, Inc in the amount of \$30,000; crack sealing with Kuntz Contracting Corp in the amount of \$162,500; and microsurfacing with Viking Construction, Inc in the amount of \$342,000.

Item 2b was pulled from the agenda. Item 2f was pulled for a separate vote.

**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items 2b and 2f. The motion carried.



**(2f)MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Fields, the Council voted two (2) for and five (5) against, with Mayor Berry and Councilmembers Brick, Nichols, Schultz, and Benham voting against, to amend the language in a couple of sections to strike “acquire” and substitute “negotiate for the purchase of property . . .”. The motion failed.

**(2f)MOTION:** Upon a motion made by Councilmember Brick and a second by Councilmember Nichols, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Resolution 03-14-13-2f, authorizing City staff to negotiate for the purchase of easements needed for the FM 2154 Sidewalk Improvements Project and public utilities. The motion carried.

## **REGULAR AGENDA**

### **1. Public Hearing, presentation, possible action, and discussion approving Ordinance 2013-3485, vacating and abandoning a 0.0201 acre right-of-way, which is located on Lot 15 of Block 1 of the College Park Addition according to the plat recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas.**

At approximately 7:16 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:16 p.m.

**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3485, vacating and abandoning a 0.0201 acre right-of-way, which is located on Lot 15 of Block 1 of the College Park Addition according to the plat recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

### **2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2013-3486, vacating and abandoning a 0.55 acre portion of a 20 foot Utility Easement, which is located in the 324.83 acre tract in the J. H. Jones Survey, Abstract No. 26 according to the deed recorded in Volume 4023, Page 91 of the Deed Records of Brazos County, Texas.**


At approximately 7:23 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:23 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, with Councilmember Schultz abstaining, to adopt Ordinance 2013-3486, vacating and abandoning a 0.55 acre portion of a 20 foot Utility Easement, which is located in the 324.83 acre tract in the J. H. Jones Survey, Abstract No. 26 according to the deed recorded in Volume 4023, Page 91 of the Deed Records of Brazos County, Texas. The motion carried.

**3. Adjournment.**

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 7:24 p.m. on Thursday, March 14, 2013.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary





College Station City Council Workshop Agenda  
Sign In Sheet  
Thursday, March 14, 2013 at 4:30 p.m.  
City Hall Council Chamber

**Mayor**  
Nancy Berry  
**Mayor Pro Tem**  
Karl Mooney  
**Interim City Manager**  
Frank Simpson

**Council Members**  
Blanche Brick  
Jess Fields  
John Nichols  
Julie Schultz  
James Benham

	Name	Address	Email or Phone No.
1.	Gora W. Rogers	7472 Old Jones Rd CC	979-260-9130
2.	BARRY WISTER	6650 Raymond Street (Hwy)	979-324-7737
3.	Mildred Montgomery	8750 Mark St. C.S.Tx	936-241-2944
4.	Kinda Wister	6275 Beatrice C.S.Tx	979-846-8236
5.	Matt Wilson	308 Regensburg	979-229-5740
6.	Britnee Bailey	1304 Milner	979-995-4694
7.	STEVE ALONIC	707- Honeycreek Ln CS	979-764-9279
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

\*\*\*Note this not a Hear Visitors form\*\*\* To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.



## CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 3 14 13  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Cora Rogers

Phone: 979-260-9130

Address: 7472 Old Jones Rd

Email: cora.rogers59@yahoo.com

Comments: ☐ WRITTEN ☒ ORAL

Comments are presented for:

☒ HEAR VISITORS

☐ AGENDA ITEM # \_\_\_\_\_

### FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

Dumpster site - Bushy community

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF \_\_\_\_\_ PAGE(S)

### FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING  
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

### MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station  
City Secretary's Office – City Hall  
1101 Texas Avenue, College Station, Texas 77840  
Fax: 979-764-6377  
Email: [smashburn@cstx.gov](mailto:smashburn@cstx.gov)

OFFICE USE ONLY:  
(# in which received)

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## RULES FOR PUBLIC COMMENTS AT CITY COUNCIL MEETINGS

**Public Comments:** The City Council welcomes written and oral comments from the public at regular meetings. Individuals wishing to speak must sign in at the City Secretary's Office at City Hall during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting. Speakers who have not registered by 6:45 p.m. may be allowed to speak after first registering with the City Secretary before the Hear Visitors period is finished or the agenda item has been finished. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. Time cannot be transferred. When a speaker yields the floor, he/she waives their remaining time, but that remaining time does not get added to another speaker's time.

**Written Comments / Handouts / PowerPoint:** Individuals may use the comment sheets provided in the City Secretary's Office at City Hall. Comment sheets submitted to the City Secretary by 6:45 p.m. on the day of the Council meeting will be copied and distributed to the Council Members. An individual who wishes to submit other written material should submit 10 copies to the City Secretary for distribution to Council Members and senior staff. Individuals wishing to provide a PowerPoint presentation must submit the presentation to the City Secretary's office no later than noon the day of the meeting. This will allow staff time to review any type of video or PowerPoint to determine appropriateness for display at a public meeting, and to give the IT department enough time to check the files or CDs to make sure that there are no viruses prior to loading on the City computers.

**Hear Visitors Period:** The Hear Visitors section is set aside during Regular Meetings in order to give the public the opportunity to speak on City-related matters **not** covered by the agenda. However, no formal action will be taken on any matters not listed on the agenda. The response of the Council to any comment under this heading is limited to making a statement of specific factual information in response to the inquiry, or reciting existing policy in response to the inquiry. Any deliberation of the issue is limited to a proposal to place it on the agenda for a later meeting.

**Consent and Regular Agenda Items:** At the discretion of the Mayor, individuals may be allowed to speak on either a Consent or Regular Agenda item. Individuals who wish to address the Council on either a Consent or Regular agenda item shall register with the City Secretary during regular business hours, or from 5:00-6:45 p.m. the day of the meeting. Speakers who have not registered by 6:45 p.m. may be allowed to speak after first registering with the City Secretary. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. Time cannot be transferred. When a speaker yields the floor, he/she waives their remaining time, but that remaining time does not get added to another speaker's time. Comments on the agenda items must be made when the agenda item comes before the Council.

**Public Hearings:** Registering to speak at a Public Hearing is the same as for a regular agenda item. After a Public Hearing is closed, there shall be no additional public comments. If Council needs additional information from the general public, some limited comments may be allowed at the discretion of the Mayor.

### **Rules for Speakers:**

1. Members of the public may address the City Council at the following times during a meeting:
  - During Hear Visitors Period, if such a period is on the agenda for the meeting.
  - During a public hearing on an agenda item.
  - During Consent and Regular Agenda items with the permission of the presiding officer.
  - During Work Study Agenda items with the permission of the presiding officer.
2. Speakers must state their name and address for the record.
3. Speakers must address all comments and questions to the presiding officer.
4. Speakers must limit their comments to three minutes.
5. Speakers may not employ tactics of defamation, intimidation, personal affronts, profanity, or threats of violence.